

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

KRISTIN MAYER, as conservator  
for Dexion Butler,

Plaintiff,

v.

MADISON ADOPTION  
ASSOCIATES, LTD.,

**CV-21-38-GF-BMM**

**ORDER**

Plaintiff Kristin Mayer (“Mayer”), conservator for Dexion Butler, has filed several motions, including a Motion for Jury View and Motions in Limine. (Doc. 87); (Doc. 91); (Doc. 105.) Defendant Madison Adoption Associates (“MAA”) has also filed Motions in Limine. (Doc. 109.) The Court will defer its rulings on these motions.

The Court deems it prudent, in the interim, to order supplemental briefing on the issue of personal jurisdiction. The Court’s October 1, 2021, Order denying MAA’s Motion to Dismiss (Doc. 24) determined that the Court maintained personal jurisdiction over MAA in part due to the Court’s conclusion that MAA owed a statutory and common-law duty to observe Dexion Butler firsthand while he resided in Montana. (Doc. 24 at 12-13.) The Court, after evaluating the existence of a duty,

determined that the alleged failure of MAA to observe Dexxon Butler during his placement at Ranch for Kids, one of the alleged torts at issue here, accrued in Montana. (*Id.* at 13.) The Court concluded that the existence of a duty and its potential breach satisfied Montana's long-arm statute. (*Id.* at 16.) The Court then concluded that the exercise of personal jurisdiction comported with the Constitution's due process requirements. (*Id.* at 17-19.)

The Court directs the parties to provide supplemental briefs on the Court's maintenance of personal jurisdiction over MAA, including whether the exercise of personal jurisdiction comports with the principles of due process.

It is hereby **ORDERED** that the parties shall submit simultaneous briefing, not to exceed ten pages, on the above issue on or before February 3, 2023.

DATED this 25th day of January, 2023.



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Brian Morris, Chief District Judge  
United States District Court